

PATENT

Atty. Dkt. No. 3493.00125 (ATT/2000-0104)

REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated or made obvious under the provisions of 35 U.S.C. § 102 and § 103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. REJECTION OF CLAIM 1-6, 11, 14-15, 18-22 AND 25 UNDER 35 U.S.C. § 102

The Examiner has rejected claims 1-6, 11, 14-15, 18-22 and 25 in the Office Action under 35 U.S.C. § 102 as being anticipated by Pankaj et al. (US Patent 6,393,012). Claims 1-6, 11, 14-15, 18-22 and 25 have been canceled without prejudice. The rejection is now moot. However, Applicants reserve the rights to file one or more continuation applications to continue prosecution of these canceled claims.

II. REJECTION OF CLAIMS 13 AND 24 UNDER 35 U.S.C. § 103

The Examiner has rejected claims 13 and 14 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Pankaj et al. (US Patent 6,393,012).

Claims 13 and 14 have been canceled without prejudice. The rejection is now moot. However, Applicants reserve the rights to file one or more continuation applications to continue prosecution of these canceled claims.

III. ALLOWABLE SUBJECT MATTER

The Examiner objected to claims 7-10, 12, 16, 17, 23 and 26 for depending upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Responsive to the Examiner, Applicants have amended claims 7, 12, and 23 into independent claim form and have also addressed the objections to the claims 7 and 23. Specifically, Applicants have amended claim 7 to recite "mobile station (i)", so that the symbol "i" in the equation is now defined. (See Applicants' specification, Page 13, lines 15-20 for support) Applicants have also amended claim 23 to recite "A base station

PATENT

Atty. Dkt. No. 3493.00125 (ATT/2000-0104)

apparatus". Claim 16 was also amended to correct a typographical error.

Applicants submit that claims 7-10, 12, 16, 17, 23 and 26 are now in allowable form.

Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §102 and §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

12/7/04



Kin-Wah Tong, Attorney
Reg. No. 39,400
(732) 530-9404

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Shrewsbury, New Jersey 07702

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKewed/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.